

PATENT
Serial No. 09/730,679
Amendment in Reply to Office Action of September 1, 2005

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

In the Office Action, the Examiner objected to the specification for lacking headings and suggested adding headings to the specification. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a). Accordingly, withdrawal of the objection to the specification is respectfully requested.

In the Office Action, the Examiner suggested submitting formal drawings. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully defer submission of the formal drawings until the present application is allowed. Replacement sheets including FIGs 1-4 are enclosed that include labels. Applicants respectfully request withdrawal of the drawings objection and approval of the enclosed proposed drawing changes.

In the Office Action, claims 1-20 were rejected under 35

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U.S.C. §112, first paragraph, as failing to comply with the written description. Further, claims 2 and 5-20 were objected to for certain informalities noted in claims 1-2, 4-5, 10 and 15. In response, claims 1-2 and 4-5, 10 and 15 have been amended in accordance with the Examiner's suggestions. Accordingly, withdrawal of the objection and rejection to the claims is respectfully requested.

In the Office Action, claims 1-4 and 6-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,389,066 (Ejzak) in view of U.S. 4,561,089 (Rouse). In response, independent claims 1 and 4-5 have been amended to better clarify the present invention as recited therein, and new claims 21-22 have been added. It is respectfully submitted that claims 1-22 are patentable over Ejzak and Rouse for at least the following reasons.

Ejzak is directed to a system and method for adaptive modification of modulated and coded schemes in a communication system. The Ejzak communication system dynamically adjusts the modulation, coding, interleaving and data link re-transmission procedures to the channel conditions, such as fading, to provide a

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higher data throughput.

As correctly noted by the Examiner, Ejzak does not teach or suggest that the transmit timing is fixed in response to the receive timing and that the receiving part of the station of the second type has a synchronization circuit that provides chip fractions shifted in time that are used to modify frequencies of data received from the first station type, as recited in independent claim 1, and similarly recited in independent claims 4-5. Rouse is cited in an attempt to remedy the deficiencies in Ejzak.

Rouse is directed to correlation detectors for use in a direct sequence spread spectrum signal receiver that de-spreads only the signal spread by a sequence having a predetermined code sequence shift. The receiver includes a number of correlation detectors offset from each other by a fraction of a code chip together with decisions circuitry to identify cross-correlation peaks for optimum synchronization. Thus, any shifting in Rouse is concerned with optimum de-spreading of received spread code.

In stark contrast, the present invention as recited in

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independent claim 1, and similarly recited in independent claims 4-5 and 21, requires amongst other patentable elements:

to compensate for a frequency shift due to a movement of said station of said second type.

Further, new independent claim 21 requires:

a transmitter configured to transmit a transmit signal having a transmit frequency shifted to compensate for said frequency change Δf , said transmit frequency shifted being shifted in an opposite direction to said one direction by said frequency change Δf .

These features are nowhere taught or suggested in Ejzak, Rouse, and combination thereof, and provide substantial benefits, such as allowing the further terminal (e.g., recited in claim 20) to receive the transmit signal at the same frequency f that this further terminal had transmitted, thus eliminating or reducing synchronization requirements.

For example, the further terminal transmits at frequency f a signal which is received by the mobile terminal at frequency $f - \Delta f$, due to the movement of the mobile terminal, where Δf is the Doppler shift. The moving mobile terminal transmits a signal back to the further station at a transmit frequency $f + \Delta f$, which signal is

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received by the further station with the Doppler shift Δf . In particular, the signal is received by the further station is at the transmit frequency of $(f + \Delta f)$ minus the Doppler shift Δf , resulting in a signal frequency of: $(f + \Delta f) - \Delta f = f$, which is the very same frequency that the further station had originally transmitted, and thus eliminating or reducing synchronization requirements related to movement of the mobile station and resulting Doppler shift, for example.

Accordingly, it is respectfully submitted that independent claims 1, 4-5 and 21, are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3, 6-20 and 22 should also be allowed at least based on their dependence from independent claims 1, 4-5 and 21.

It is believed that no additional fees or charges are currently due beyond the fee for additional claims to be charged to the credit card as noted by the enclosed authorization. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In

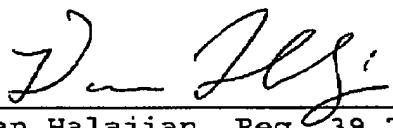
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addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited. Please direct all future correspondence related to this application to:

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510
(914) 333-9602

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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Enclosure: Replacement drawing sheets (3 sheets with FIGs 1-4)
Authorization to charge credit card \$300 for one
independent claim in excess of three, and two claims
in excess of twenty

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101